

Introduction

This guide has been prepared as an aid to public sector employers that employ dive teams, with information and guidance to help them protect employees' health and safety, particularly in reducing and preventing exposure to recognized occupational hazards.

Public safety diving is a diving operation performed solely for search, rescue, recovery, investigation or related public safety purposes conducted by divers working for or under the control of a governmental agency.

Federal OSHA received a number of comments from people engaged in diving incidental to police and public safety functions, and the agency concluded that an exclusion from 29 CFR 1910, Subpart T—Commercial Diving was appropriate for such applications. The purpose of the “by or under the control of a governmental agency” language is to make the exclusion applicable to all divers whose purpose is to provide search, rescue or public safety diving services under the direction and control of a governmental agency (such as local, state or federal government) regardless of whether such divers are, strictly speaking, government employees. In excluding these search and rescue operations, OSHA determined that safety and health regulation of the police and related functions are best carried out by the individual states or their political subdivisions. It is pointed out that this exclusion does not apply when work other than search, rescue and related public safety diving is performed (such as divers repairing a pier). Diving contractors who occasionally perform emergency services, and who are not under the control of a governmental agency engaging their services, do not come under this exclusion. Such divers may, however, be covered by the provision concerning application of the standard in an emergency (29 CFR 1910.401(b)).